

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,
et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**WHITEBOX FUNDS' AMENDED INFORMATIVE MOTION
REGARDING THE NOVEMBER 15-16 OMNIBUS HEARING**

To the Honorable United States District Judge Laura Taylor Swain:

Whitebox Asymmetric Partners, L.P., Whitebox Institutional Partners, L.P., Whitebox Multi-Strategy Partners, L.P., Pandora Select Partners, L.P., and Whitebox Term Credit Fund I L.P. (collectively, the “Whitebox Funds”), creditors and parties in interest in the above captioned Title III cases, respectfully submit this amended informative motion pursuant to the October 26, 2017 *Order Regarding the Location and Procedures for Attendance, Participation, and*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Observation of the November 15-16, 2017 Omnibus Hearing [Docket No. 1545] (the “Order”) and respectfully state as follows:

1. In compliance with the Order, on November 7, 2017, the Whitebox Funds filed their *Informative Motion Regarding the November 15-16 Omnibus Hearing* [Docket No. 1690].
2. On November 10, 2017, the Court entered an Order on the *Joint Urgent Motion Requesting Shortened Notice and Expedited Consideration of Movants’ Urgent Motion to Strike Portions of the Mutual Fund Group’s and Puerto Rico Family of Funds’ Motion for Summary Judgment Relating to Pre-2017 Defaults*, setting the hearing for the *Joint Urgent Motion to Strike Portions of the Mutual Fund Group’s and Puerto Rico Family of Funds’ Motion for Summary Judgment Relating to Pre-2017 Defaults* (“Urgent Motion to Strike”) for November 15, 2017 at 9:30 a.m. (Atlantic Standard Time), in conjunction with the regularly scheduled omnibus hearing (the “Omnibus Hearing”) [Adv. Proc. Docket No. 447].
3. Based upon the scheduling of the Urgent Motion to Strike, the Whitebox Funds file this amended informative motion and respectfully submit that Kenneth R. David of Kasowitz Benson Torres LLP intends to speak on behalf of the Whitebox Funds in connection with the Urgent Motion to Strike and to respond to any statements made by any party at the Omnibus Hearing that may affect the rights of the Whitebox Funds in connection with the above-captioned title III proceedings or the adversary proceeding styled as *The Bank of New York Mellon, as Trustee v. Puerto Rico Sales Tax Financing Corporation (“COFINA”), et al.*, Adv. Proc. No. 17-133-LTS (D.P.R.).
4. Mr. David will appear before the Court in the United States District Court for the Southern District of New York. The Whitebox Funds anticipate a total of two representatives,

inclusive of Mr. David, will attend the Omnibus Hearing in the United States District Court for the Southern District of New York.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13th day of November, 2017.

WE HEREBY CERTIFY that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record, and will provide hard copies to the Court and United States Trustee as soon as practical after the filing of the foregoing, consistent with the Court's October 24, 2017 Third Amended Case Management Order. (See [Docket No. 1512-1] § 2.I.)

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